IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI BILAL NAZKI,

ACTING CHIEF JUSTICE

and
HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 21890 of 2002

Between:

1 Konda Naga Kumari W/o Konda Subramanyam,
Sarpanch, Mogalikuduru (V), Mamidikuduru Mandal,
E.G.Dist
2 M. Srinivasa Rao s/o Subba Rao,
Mogalikuduru (V), Mamidikuduru Mandal, East
Godavari Dist
3 Chinta Satyanarayana (Chinna Tailor), s/o Subba Rao,
Ward Member, Mogalikuduru (V), Mamidikuduru
Mandal, East Godavari Dist
4 Chappidi Satyavathi, w/o Suryanarayana,
Ward Member, Mogalikuduru (V), Mamidikuduru
Mandal, East Godavari Dist
5 Chellingi Vijayalakshmi W/o Ramachandra Rao,
Ward Member, Mogalikuduru (V), Mamidikuduru
Mandal, East Godavari Dist
6 K.Jaga Veera Naga Venkatesware Rao @ Jaga
Veera, s/o Ganapathi,
Ward Member, Mogalikuduru (V), Mamidikuduru
Mandal, East Godavari Dist

7 Yandra Kasi Chandramouli s/o Pullaiah Setty,
Mogalikuduru (V), Mamidikuduru Mandal, East Godavari Dist
8 Suda Venkataswamy Naidu s/o Nareswara Rao,
Mogalikuduru (V) , Mamidikuduru Mandal, East Godavari District

9 Donga Satyanarayana s/o Suryanarayana,
Mogalikuduru (V), Mamidikuduru Mandal, East Godavari Dist
10 Chappidi Balavishnu Murthy, s/o Subbarayudu,
Mogalikuduru (V), Mamikiuduru Mandal, East Godavari dist

..... PETITIONERS

AND

1 Secretary,
The Government of Andhra Pradesh Transport, Roads and Buildings, Secretariat , Hyderabad
2 The Collector and District Magistrate, East Godavari District, Kakinada
3 The Revenue Divisional Officer, Amalapuram, East Godavari Dist
4 The Mandal Revenue Officer Mamidikuduru, Mamidikuduru Mandal,
East Godavari District
5 The Vice- Chairman and Managing Director, A.P.S.R.T.C, Musheerabad,
Hyderabad
6 The Regional Manger, A P S R T C, Rajahmundry,
East Godavari Dist
7 The Executive Engineer (Civil), APSRTC, Rajahmundry,
East Godavari District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of MANDAMUS directing the respondents herein including the APSRTC for the construction of APSRTC Bus Station at Jagannapeta Centre in the land admeasuring Ac. 0.90 cents in Sy.No.117 and 119 of Mogalikuduru Village, Mamidikuduru Mandal, East Godavari District by declaring that the construction of APSRTC Bust Station at Jagannapeta Centre as already approval and accepted by all the public departments is valid and binding on the APSRTC and to pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioners : MR.I.GOPAL REDDY

Counsel for the respondent Nos. 1 to 4: None appeared.

Counsel for the Respondent Nos. 5 to 7: MRS. N. AMULA, FOR MRS.B.G.UMADEVI, (S.C. FOR APSRTC).

The Court made the following :

Form-NIC-OGS/WP{ }

ORAL ORDER:

(per Hon'ble The Acting Chief Justice)

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1. Heard learned counsel for the petitioners and Mrs.N.Amula, representing Mrs.B.G.Umadevi, Standing Counsel for respondents – A.P.S.R.T.C.

2. Petitioners' prayer in this writ petition is that respondents should be directed to construct Bus Station at Jagannapeta Centre in the land measuring Ac.0.90 cents in Sy.Nos.117 and 199 of Mogalikuduru village, Mamidikuduru Mandal, East Godavari District. The case of the petitioners appears to be that the authorities concerned including Andhra Pradesh State Road Transport Corporation had identified Ac.0.90 cents of land in Sy.Nos.117 and 199 for the purpose of a Bus Station and now they have changed their plans and want to establish the Bus Station at some other place.

3. We have gone through the counter-affidavits filed. It is true that the authorities of Andhra Pradesh State Road Transport Corporation have found that the land in Mogalikuduru village is centrally located and had accepted this land for the purpose of construction of a Bus Station. But later on they

discovered that there would be difficulty of service routes to the Bus Station and therefore they changed the idea of having the Bus Station at some other place.

4 . We are conscious that this is not an appropriate forum to decide as to which will be most appropriate place for construction of a Bus Stand. However, it may be pointed out that the Law Officer of Andhra Pradesh State Road Transport Corporation in his counter-affidavit has stated that it is not feasible to have the Bus Station in the premises in question. For these reasons, we do not find any merit in the writ petition, which is accordingly dismissed. No costs.

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BILAL NAZKI. ACJ.,

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G. CHANDRAIAH. J.,

Dated: 14.06.2005.

VRK.

To

1 The Secretary to Government, Transport, Roads and Buildings Department, Secretariat , Hyderabad
2 The Collector and District Magistrate, East Godavari District, Kakinada
3 The Revenue Divisional Officer, Amalapuram, East Godavari Dist
4 The Mandal Revenue Officer Mamidikuduru, Mamidikuduru Mandal,
East Godavari District
5 The Vice- Chairman and Managing Director, A.P.S.R.T.C, Musheerabad,
Hyderabad
6 The Regional Manger, A P S R T C, Rajahmundry,
East Godavari Dist
7 The Executive Engineer (Civil), APSRTC, Rajahmundry,
East Godavari District

8. Two CD copies.

HON'BLE SRI BILAL NAZKI,

ACTING CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE

G. CHANDRAIAH.

W.P.NO. 21890 OF 2002.

(Order of the Bench delivered by

Hon'ble The Acting Chief Justice)

Dt: 14.06.2005.